

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

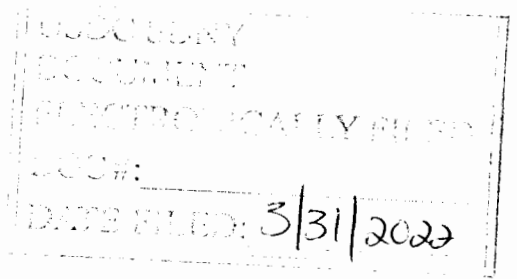
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NASER DERTI,

Plaintiff,

-against-

SERGEANT BARG, ERIC GUTWEIN,
D. VENETTOZZI, and ANTHONY ANNUCCI,

Defendants.
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19 **CIVIL** 10215 (VB)

JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated March 31, 2022, plaintiff's motion for reconsideration must be denied. Moreover, plaintiff has failed to file a second amended complaint. In its October 12, 2021, Opinion and Order, the Court granted plaintiff leave to file a second amended complaint by December 13, 2021, in accordance with the instructions set forth in the Opinion and Order. In doing so, the Court warned plaintiff in bold and underlined font that if he failed to file a second amended complaint or seek additional time to do so by December 13, 2021, the Court would deem plaintiff to have abandoned this case, and would direct the Clerk to enter judgment in defendants' favor and close the case. On December 16, 2021, the Court granted plaintiffs motion for an extension of time to file a second amended complaint, and directed plaintiff to file his second amended complaint or seek additional time to do so by January 18, 2022. On January 18, 2022, the Court granted plaintiffs second motion for an extension of time to file a second amended complaint, and directed plaintiff to file his second amended complaint by March 15, 2022. The Court warned that, absent compelling circumstances, it would not grant a further extension of the March 15, 2022, deadline. To date, plaintiff has not filed a second amended

complaint. Moreover, the Court has not received any return mail or other indication that plaintiff did not receive the December 16, 2021, or January 18, 2022, orders granting him an extension of time to do so. Accordingly, the Court having previously granted defendants' motion to dismiss the amended complaint, and plaintiff having failed to file a second amended complaint or seek additional time to do so by March 15, 2022, judgment is entered in defendants' favor. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. Cf *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

Dated: New York, New York

March 31, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. Mango
Deputy Clerk